

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2001-719

November 20, 2001

BANGOR HYDRO-ELECTRIC COMPANY  
Request For Waiver of Standard Offer  
Opt-Out Fee

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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**I. SUMMARY**

Through this Order, we allow Bangor Hydro-Electric Company (BHE) to deviate from its terms and conditions that govern line extensions with respect to certain customers on Schoodic Lake, Lakeview, Maine.

**II. BACKGROUND AND DECISION**

On October 16, 2001, BHE filed a request for a waiver from its line extension terms and conditions, stating that such a waiver is permitted under 35-A M.R.S.A. § 703(3) as a special contract between the Company and customers on Schoodic Lake.

In its filing, BHE explained that it received a request to extend service by a camp owners association on Schoodic Lake, Lakeview Plantation. The extension would serve 30 fairly evenly spaced lots and is unlikely to ever serve more than 31 lots. Based on BHE's line extension terms and conditions, the cost of the line extension to the individual lot owners would range from a low of \$1,049.46 to a high of \$9,633.77. BHE indicated that the association is concerned that customers at or near the end of the project will be less likely to participate due to the relatively high cost and, if this occurs, costs to those at the beginning of the project would increase, creating a possibility that the project would fail. As a consequence, the association asked BHE to seek a waiver from its line extension cost allocation requirements.

BHE and the association thus request a waiver so that all participants would share equally in the cost of the extension regardless of where they would connect to the line.

We have reviewed BHE's request for a waiver and conclude that a deviation from its line extension terms and conditions is reasonable under the circumstances presented. We therefore authorize BHE to enter contracts with individual customers as described in its filing.

Dated at Augusta, Maine, this 20<sup>th</sup> day of November, 2001.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.